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DEPARTMENT FOR CA/VO/F/P, CA/P, EUR/NB, EUR/PGI
DHS FOR OFFICE OF INTERNATIONAL AFFAIRS, ICE OFFICE OF
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SUBJECT: ESTA OUTREACH IN LITHUANIA

REF: SECSTATE 118460

¶1. (U) Summary. Post has an aggressive outreach program underway for the Electronic System of Travel Authorization (ESTA). Post introduced the concept of ESTA in spring 2008, in anticipation of Lithuania's admission to the Visa Waiver Program. Post intensified outreach efforts in fall 2008, when it became clear that Lithuania would qualify to join the Visa Waiver Program. EmbOffs met with media representatives, government officials, the American Chamber of Commerce, travel industry representatives and the local American Citizen community to talk about ESTA and its benefits. Some applicants report difficulties with the ESTA interface which does not yet have help available in Lithuanian language. Post will continue targeted outreach efforts in the coming months. End Summary.

POST'S ESTA OUTREACH PROGRAM

¶2. (U) The following is a summary of Post's ESTA outreach activities:

-- In spring 2008 the Consul gave a background interview at the U.S. Embassy in Vilnius on Visa Waiver and ESTA to press representatives from eight publications including the delfi web portal (the biggest internet news portal in the Baltic States with upwards of 860,000 users), Lithuanian Radio and Television (national broadcaster which captures 15% of the television-viewing audience) and BNS wire service. The Consul provided detailed information on VWP and ESTA requirements to inform future articles and to combat misinformation in the press.

-- In May 2008 ConOffs delivered a VWP and ESTA presentation to members of the American Chamber of Commerce at the Best Western Hotel in Vilnius. The event was attended by about 50 businesspersons, many of whom have business ties to the U.S. and travel frequently between Lithuania and the U.S.

-- In September 2008 Post added information to the Embassy website about the VWP and ESTA including ESTA frequently asked questions (FAQs).

-- On October 1, 2008 the Consular Section staff participated in an ESTA training session to prepare for ESTA inquiries from the public. The Consular Section has an email address for consular inquiries. We receive and respond to a steady volume of ad-hoc email questions about ESTA. We also assist ESTA applicants by phone.

-- In October 2008 Post added extensive VWP and ESTA content to our website including the ESTA logo and updated FAQs based on local inquiries. Since that time we have added weekly updates to our website with the latest ESTA guidance for new VWP participant

countries.

-- In October 2008 PAOff discussed ESTA on a Lithuanian public television program.

-- On October 11, 2008 the Consul discussed VWP and ESTA at an American Citizen Town Hall meeting at the U.S. Embassy in Vilnius. Our local AmCit community is very interested in ESTA because many local Amcits have friends and family members who would like to take advantage of the VWP.

-- On October 21, 2008 the Embassy sent a Diplomatic Note to the Ministry of Foreign Affairs to provide an overview of the VWP program and detailed information about ESTA.

-- On October 21, 2008 - ConOffs sent a Warden Message to 200 American Citizens living in Lithuania regarding VWP and ESTA:

In order to participate in the Visa Waiver Program, Lithuanian citizens will be required to get authorization online with the Electronic System for Travel Authorization (www.esta.cbp.dhs.gov). Initially, there will be no fee associated with registering. After completing the registration process, the ESTA system will inform passengers if they are authorized to travel visa waiver. When a traveler receives an authorization from ESTA, it is valid for two years. If authorization is not granted, passengers will be required to apply for a visa in order to visit the U.S. We recommend that travelers seek authorization as soon as possible in order to give them plenty of time to apply for a visa, should their request for authorization be denied.

-- On October 23, 2008 the Consul made an encore presentation about VWP and ESTA at an American Chamber of Commerce event "The Influence of Regional Security to the Business and Economic Environment" which was held at the Reval Hotel in Vilnius. The event was well attended by 112 representatives of the Lithuanian business community as well as government officials including the President of the Republic of Lithuania Valdas Adamkus.

-- On October 30, 2008 Department of Homeland Security Secretary Michael Chertoff visited Lithuania. ConOffs organized a press conference at the Presidential Palace in Vilnius for the Secretary and the Lithuanian Minister of the Interior Regimantas Ciupaila. Secretary Chertoff took advantage of the opportunity to promote ESTA to Lithuanian travelers.

-- On November 4, 2008 ConOffs held a press conference at the U.S. Embassy in Vilnius to discuss Visa Waiver and ESTA. Eight media representatives attended the conference including BNS wire service, www.atn.lt (webportal), Lithuanian Radio and Television, and Lietuvos Zinios (newspaper with circulation of 20,000 readers).

-- On November 7, 2008 Ambassador Cloud addressed a group of Ambassadors representing European Union (EU) member states at the French Embassy in Vilnius. Ambassador Cloud made brief remarks about the VWP and ESTA and then responded to questions from the group including representatives from Austria, France, Greece, Hungary, and Ireland.

-- On November 10, 2008 Post updated our website to include an advisory message about fake ESTA websites that was issued by the Department of Homeland Security. We subsequently communicated this concern to airlines and travel agents.

-- On November 13, 2008 ConOffs invited airline and travel agency representatives to the U.S. Embassy in Vilnius for a presentation on the VWP and ESTA. Twenty-two travel industry representatives attended the presentation which was followed by a lively question and answer session. After the meeting ConOffs sent an email to airline representatives with additional guidance for checking ESTA approvals at check-in.

-- On November 14, 2008 the Consul gave an interview to Lietuvos Rytas (newspaper with circulation of 57,000 readers) in which he highlighted ESTA requirements for VWP travel.

-- On November 14, 2008 PAOff participated in a taped interview in Lithuanian language for Lithuanian National Radio (250,000

listeners) which was played during prime time on Monday November 17th, the first day of Visa Waiver travel. During the interview PAOff provided information about ESTA.

-- On November 17, 2008 PAOff gave an interview about the VWP and ESTA in Russian language for Lithuanian National Radio. This broadcast has listeners in Lithuania, Belarus and Latvia.

-- On November 17, 2008 Post contacted the Vilnius Airport and local airlines Fly Lithuanian Airlines (FlyLAL) and Air Baltic to inquire about the first day of visa waiver travel. All parties reported that passenger boarding went smoothly.

EMERGING QUESTIONS ABOUT ESTA

13. (SBU) Over the course of our ESTA outreach program Post has identified a number of stumbling blocks in the ESTA process which have caused some confusion for the Lithuanian end-users and for ConOffs at Post.

-- Lithuanian language instructions have not yet been added to ESTA. When an end-user visits the ESTA website, the first question they see is a drop-down list to select language preference. This has generated confusion for Lithuanian users because none of the language options apply to them. Also many of the ESTA questions are quite technical and it is difficult to understand and respond appropriately in a second language.

-- Post suggests that DHS consider enhancing ESTA to recognize if a traveler has a biometric e-passport based on the issue date of the travel document. For example, all Lithuanian passports issued after August 28, 2006 meet VWP requirements. If ESTA could decline authorization based on a non-compliant passport, then we could save a lot of hassle at the port of entry, lower potential turn-around costs for the airlines and create added value for the applicant.

-- The ESTA question "Have you ever been denied a U.S. visa or entry into the U.S. or had a U.S. visa canceled?" is causing confusion. We have received a number of inquiries from applicants who wonder if this question includes visas cancelled without prejudice (a common and innocuous occurrence). It might be more clear to change the question to "... or had a U.S. visa revoked or canceled with prejudice."

-- DHS advises travelers to apply for ESTA no less than 72 hours in advance of intended travel. For cases in which a traveler does not receive an immediate approval, 72 hours is not enough time to make alternate arrangements. Post suggests that travelers apply two weeks in advance of intended travel to allow time for processing of "pending" authorizations and to allow time for travelers with an ESTA refusal to apply for a visa at the U.S. Embassy.

-- ESTA questions do not appear to address incidents of unlawful presence in the U.S. (9B2 refusals). Unlawful presence is one of the most common hard refusals entered at Post. Even with an ESTA approval in hand, travelers with an active 9B2 refusal are not admissible at the port of entry. Post suggests that DHS add language to ESTA to determine if an alien has ever been present in the U.S. without legal status in order to avoid turn-around situations at the port of entry.

-- ESTA refusals appear in the Consular NIV system as a category one hit. Traditionally Post would not overcome an exact match category one hit without some type of advisory opinion. Most ESTA refusals (so far) represent 214B concerns which can be overcome by an interviewing officer at Post. In one case we had an applicant who responded "yes" to an ineligibility question in ESTA by mistake. We believe these cases should also be resolved at Post. We would appreciate some additional Department guidance on how to process and overcome category one ESTA refusals at Post.

CONCLUSION

14. (U) Post will continue ESTA outreach in the coming months. Our number one concern is that that Lithuanian language to be added to the site as soon as possible to facilitate applications.

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